

FILED

MOHAMAD YASSIN ALCHARIHI

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2018 JUL 13 PM 3:32

FILED
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

BY: 

Plaintiff in Pro Per

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANCIENT MOSAIC,

Defendant.

CASE NO.: 2:18-CV-04420 JFW

**VERIFIED ANSWER OF MOHAMAD
YASSIN ALCHARIHI**

AND JURY DEMAND

1 For his answer to Plaintiff the UNITED STATES OF AMERICA's Verified
2 Complaint, Claimant **MOHAMAD YASSIN ALCHARIHI** generally and specifically denies
3 each and every allegation contained in Plaintiff's Complaint and further admits, denies
4 and alleges as follows:

5 **JURISDICTION AND VENUE**

6 1. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
7 admit or deny ¶ 1, and therefore denies it.

8 2. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
9 admit or deny ¶ 2, and therefore denies it.

10 3. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
11 admit or deny ¶ 3, and therefore denies it.

12
13 **PERSONS AND ENTITIES**

14 4. Admit.

15 5. Admit.

16 6. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
17 admit or deny ¶ 6, and therefore denies it.

18 7. Admit.

19
20 **APPLICABLE FORFEITURE STATUTES**

21 8. Deny.

22
23 **EVIDENCE SUPPORTING FORFEITURE**

24 **A. Importation of Defendant Mosaic into the United States**

25 9. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
26 admit or deny ¶ 9, and therefore denies it.

27 10. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
28 admit or deny ¶ 10, and therefore denies it.

11. Admit.

12. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 12, and therefore denies it.

13. Admit.

14. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 14, and therefore denies it.

B. Identification and Seizure of Defendant Mosaic

15. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 15, and therefore denies it.

16. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 16, and therefore denies it.

17. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 17, and therefore denies it.

18. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 18, and therefore denies it.

19. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 19, and therefore denies it.

20. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 20, and therefore denies it.

21. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 21, and therefore denies it.

22. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 22, and therefore denies it.

23. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny ¶ 23, and therefore denies it.

24. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to admit or deny that portion of ¶ 24 consisting of "On March 19, 2016, agents obtained a

1 federal search and seizure warrant for Alcharihi's residence in Palmdale, California,"
 2 and therefore denies it. MOHAMAD YASSIN ALCHARIHI admits that portion of ¶
 3 24 consisting of "During the execution of the warrant, agents seized the defendant
 4 mosaic, which is approximately 18 feet in length, 8 feet in height (approximately 5.5
 5 by 2.5 meters), and weighs approximately 2,000 pounds. Below is a photograph of the
 6 defendant mosaic taken by FBI after the seizure."



21 25. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 22 admit or deny ¶ 25, and therefore denies it.

23 26. Admit.

24 27. Admit.

25 28. Admit.

26 29. Admit.

27 **C. Interview of Alcharihi**

28 30. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to

1 admit or deny ¶ 30, and therefore denies it. but admit on March 19, 2016, agents
 2 interviewed Alcharihi at his residence, a. Alcharihi told the agents that he had worked
 3 as a technician and sales representative at Color Imaging Supply in Glendale,
 4 California since 2004. When asked if the job paid well, Alcharihi stated “not really”,
 5 and indicated that he also operated a car business by which he bought salvaged cars in
 6 the United States that were then exported to Togo, Africa. Alcharihi said that he has a
 7 cousin in Africa whom he trusted to handle the car business there. Alcharihi admitted,
 8 however, that he did not earn much from the car business, either.

9
 10 **D. Alcharihi’s Email Communications Regarding Defendant Mosaic**

11 31. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 12 admit or deny ¶ 31, and therefore denies it.

13 32. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 14 admit or deny ¶ 32, and therefore denies it.

15 33. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 16 admit or deny ¶ 33, and therefore denies it.

17 34. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 18 admit or deny ¶ 34, and therefore denies it.

19 35. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 20 admit or deny ¶ 35, and therefore denies it.

21
 22 **E. Import Rules and Regulations**

23 36. Admit.

24 37. Admit.

25
 26 38. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to
 27 admit or deny ¶ 38, and therefore denies it.

28 39. MOHAMAD YASSIN ALCHARIHI is without sufficient knowledge to

1 admit or deny ¶ 39, and therefore denies it

2
3 MOHAMAD YASSIN ALCHARIHI is filing a properly
4 executed verified claim with the Clerk of the US District Court, Central District of
5 California concurrent with this pleading.

6
7 **AFFIRMATIVE DEFENSES**

8
9 **FIRST AFFIRMATIVE DEFENSE**

10 Plaintiff's Complaint fails to state claims upon which relief may be granted.

11
12 **SECOND AFFIRMATIVE DEFENSE**

13 Plaintiff's Complaint does not comply with the requirement of Supplemental
14 Rule G to "state sufficiently detailed facts to support a reasonable belief that the
15 government will be able to meet its burden of proof at trial."

16
17 **THIRD AFFIRMATIVE DEFENSE**

18 Forfeiture of the defendant currency violates the Due Process Clause of the Fifth
19 Amendment to the United States Constitution.

20
21 **FOURTH AFFIRMATIVE DEFENSE**

22 There was no substantial connection between the Defendant property and an
23 offense as required by 18 U.S.C. § 983(c)(3).

24
25 **FIFTH AFFIRMATIVE DEFENSE**

26 The claim is barred by the doctrine of estoppel.

27 ///

28 ///

1 **SIXTH AFFIRMATIVE DEFENSE**

2 The claim is barred by the statute of limitations.

3
4 **SEVENTH AFFIRMATIVE DEFENSE**

5 The property is not subject to seizure and forfeiture.

6
7 **EIGHTH AFFIRMATIVE DEFENSE**

8 The Government has waited an unduly long time in asserting its claims and such
9 delay has prejudiced the Claimants' rights and hindered the ability to defend/respond
10 in this case, and therefore, the Plaintiff's claims are barred by Laches.

11
12 **NINTH AFFIRMATIVE DEFENSE**

13 Plaintiff has waived any claims it may otherwise have had.

14
15 **RESERVATION OF RIGHTS**

16 Claimant MOHAMAD YASSIN ALCHARIHI reserves the right to assert
17 additional affirmative defenses or amend these affirmative defenses as discovery
18 warrants.

19
20 **WHEREFORE**, having fully answered Plaintiff's complaint and having alleged
21 affirmative defenses, MOHAMAD YASSIN ALCHARIHI requests that

- 22 1. Plaintiff's complaint be dismissed with prejudice;
23 2. That MOHAMAD YASSIN ALCHARIHI be Ordered the rightful owner
24 of the "ANCIENT MOSAIC" more descriptively known as a 2000-Year-
25 Old Roman Era Mosaic of Hercules; and,
26 3. That MOHAMAD YASSIN ALCHARIHI be awarded his costs and
27 attorney fees incurred herein.

1 Dated: July 11, 2018

2 Respectfully,



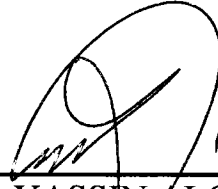
3 MOHAMAD YASSIN ALCHARIHI
4 Plaintiff, in Pro Per

JURY DEMAND

Claimant MOHAMAD YASSIN ALCHARIHI hereby demands a trial by jury
on all issues so triable.

Dated: July 11, 2018

Respectfully,



MOHAMAD YASSIN ALCHARIHI
Plaintiff, in Pro Per

VERIFICATION

I have read the foregoing **VERIFIED CLAIM OF OWNERSHIP BY MOHAMAD YASSIN ALCHARIHI** know its contents.

☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

☐ I am ___ an officer, ___ a partner ___, an agent ___, of _____, a party to this action, and am authorized to make this Verification for and on its behalf, and I make this Verification for that reason. I am informed and believe and on that ground, allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the County of aforesaid where such attorneys have their offices, and I make this Verification for and on behalf, and I make this Verification for that reason. I am informed and believe and on that ground, allege that the matters stated in the foregoing document are true.

I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 11th day of July 2018 at Los Angeles, California.



MOHAMAD YASSIN ALCHARIHI